

Exhibit

A

Richard M. Pescatore, P.C.

1055 East Landis Avenue
 Vineland, New Jersey 08360
 (856)-507-1000
 Attorney for Plaintiff
 NJ Attorney ID: 021841985

Plaintiff(s)	:	SUPERIOR COURT OF NEW JERSEY
SANTOS ANDUJAR	:	LAW DIVISION
	:	CUMBERLAND COUNTY
vs.	:	
	:	DOCKET NO.: <i>L-925-14</i>
Defendant(s)	:	
GENERAL NUTRITION CORPORATION	:	Civil Action
	:	
	:	COMPLAINT
	:	

Plaintiff, Santos Andujar, residing in the City of Vineland, County of Cumberland, State of New Jersey, by way of complaint against the defendant says:

FIRST COUNT:

1. At all times hereinafter mentioned, the plaintiff, Santos Andujar, was an employee of the defendant, General Nutrition Corporation (GNC), and a manager of a store located in the City of Vineland, County of Cumberland, State of New Jersey, and a member of a protected class/category of individuals (age) protected under the New Jersey Law Against Discrimination, N.J.S.A. 10:5-1 et seq.
2. At all times hereinafter mentioned, the defendant, GNC Corporation, was an employer and the employer of the plaintiff as defined/described by the New Jersey Law Against Discrimination.
3. In and about March, 2014, the plaintiff was terminated from the defendant's store location, notwithstanding that plaintiff performed his job duties in a satisfactory manner and was successful in changing the status of the store's success rating.

4. The defendant was without sufficient and/or legitimate business reasons to terminate the plaintiff and thereafter replaced the plaintiff with an individual considerably younger (20's) to perform the duties of the plaintiff.

5. The acts/omissions of the defendant in terminating the plaintiff without legitimate business reason or cause and replacement of the plaintiff with a substantially younger individual constitutes a violation of the New Jersey Law Against Discrimination and age discrimination in violation of N.J.S.A. 10:5-1 et seq.

6. As a direct and proximate result of the conduct of the defendant, the plaintiff sustained significant emotional distress, economic damages and will continue to sustain and suffer economic damages.

Wherefore, the plaintiff demands judgment against the defendant sufficient to compensate him for his losses, together with reinstatement, costs of suit, attorney's fees, and such other relief as is deemed equitable and just.

RICHARD M. PESCATORE
A Professional Corporation

/s/ Richard M. Pescatore, Esquire

Dated: November 19, 2014

By: _____
RICHARD M. PESCATORE
Attorney for Plaintiff

Certification Pursuant to Rule 4:5-1

I, RICHARD M. PESCATORE, ESQUIRE, hereby certify:

1. The matter in controversy is not the subject of any other action pending in any other court or arbitration proceeding and no such action or proceeding is contemplated, to the best of my knowledge.
2. I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me is willfully false, I am subject to punishment.

RICHARD M. PESCATORE
A Professional Corporation

Dated: November 19, 2014

By: /s/ Richard M. Pescatore, Esquire
RICHARD M. PESCATORE
Attorney for Plaintiffs

Demand for Jury Trial

The plaintiff demands a Trial by jury on all issues in accord with the Rules of this Court.

Demand For Immediate Disclosure of All Members of Defendant's Litigation Control Group.

Plaintiff demands, pursuant to R. 4:18-1, and New Jersey case law, a list of those individuals who currently form their litigation control group.

Designation of Trial Counsel



PLEASE TAKE NOTICE that Richard M. Pescatore, attorney for plaintiffs, is hereby by designated as trial counsel in the above entitled matter pursuant to R. 4:25-1 and R. 4:25-4.

RICHARD M. PESCATORE
A Professional Corporation

Dated: November 19, 2014

By: /s/ Richard M. Pescatore, Esquire
RICHARD M. PESCATORE
Attorney for Plaintiffs

Appendix XII-B1

	CIVIL CASE INFORMATION STATEMENT (CIS)		Use for initial Law Division Civil Part pleadings (not motions) under <i>Rule 4:5-1</i> Pleading will be rejected for filing, under <i>Rule 1:5-6(c)</i>, if information above the black bar is not completed or attorney's signature is not affixed		FOR USE BY CLERK'S OFFICE ONLY	
			PAYMENT TYPE: <input type="checkbox"/> CK <input type="checkbox"/> CG <input type="checkbox"/> CA		CHG/CK NO.	
			AMOUNT:		OVERPAYMENT:	
			BATCH NUMBER:			
ATTORNEY / PRO SE NAME Richard M. Pescatore, Esq.		TELEPHONE NUMBER (856) 507-1000		COUNTY OF VENUE Cumberland		
FIRM NAME (if applicable) Richard Pescatore, PC				DOCKET NUMBER (when available)		
OFFICE ADDRESS 1055 E. Landis Ave Vineland, NJ 08360				DOCUMENT TYPE Complaint		
				JURY DEMAND <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
NAME OF PARTY (e.g., John Doe, Plaintiff) Santos Andujar, Plaintiff		CAPTION Santos Andujar v. General Nutrition Corporation				
CASE TYPE NUMBER (See reverse side for listing) 618	HURRICANE SANDY RELATED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	IS THIS A PROFESSIONAL MALPRACTICE CASE? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF YOU HAVE CHECKED "YES," SEE N.J.S.A. 2A:53 A -27 AND APPLICABLE CASE LAW REGARDING YOUR OBLIGATION TO FILE AN AFFIDAVIT OF MERIT.				
RELATED CASES PENDING? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		IF YES, LIST DOCKET NUMBERS				
DO YOU ANTICIPATE ADDING ANY PARTIES (arising out of same transaction or occurrence)? <input type="checkbox"/> YES <input type="checkbox"/> NO		NAME OF DEFENDANT'S PRIMARY INSURANCE COMPANY (if known) <input type="checkbox"/> NONE <input type="checkbox"/> UNKNOWN				
THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE						
CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION						
DO PARTIES HAVE A CURRENT, PAST OR RECURRENT RELATIONSHIP? <input type="checkbox"/> YES <input type="checkbox"/> NO		IF YES, IS THAT RELATIONSHIP: <input type="checkbox"/> EMPLOYER/EMPLOYEE <input type="checkbox"/> FRIEND/NEIGHBOR <input type="checkbox"/> OTHER (explain) <input type="checkbox"/> FAMILIAL <input type="checkbox"/> BUSINESS				
DOES THE STATUTE GOVERNING THIS CASE PROVIDE FOR PAYMENT OF FEES BY THE LOSING PARTY? <input type="checkbox"/> YES <input type="checkbox"/> NO						
USE THIS SPACE TO ALERT THE COURT TO ANY SPECIAL CASE CHARACTERISTICS THAT MAY WARRANT INDIVIDUAL MANAGEMENT OR ACCELERATED DISPOSITION						
 DO YOU OR YOUR CLIENT NEED ANY DISABILITY ACCOMMODATIONS? <input type="checkbox"/> YES <input type="checkbox"/> NO		IF YES, PLEASE IDENTIFY THE REQUESTED ACCOMMODATION				
WILL AN INTERPRETER BE NEEDED? <input type="checkbox"/> YES <input type="checkbox"/> NO		IF YES, FOR WHAT LANGUAGE?				
I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with <i>Rule 1:38-7(b)</i> .						
ATTORNEY SIGNATURE: <u>/s/ Richard M. Pescatore, Esquire</u>						

Side 2



CIVIL CASE INFORMATION STATEMENT (CIS)

Use for initial pleadings (not motions) under Rule 4:5-1

CASE TYPES (Choose one and enter number of case type in appropriate space on the reverse side.)

Track I - 150 days' discovery

- 151 NAME CHANGE
- 175 FORFEITURE
- 302 TENANCY
- 399 REAL PROPERTY (other than Tenancy, Contract, Condemnation, Complex Commercial or Construction)
- 502 BOOK ACCOUNT (debt collection matters only)
- 505 OTHER INSURANCE CLAIM (including declaratory judgment actions)
- 506 PIP COVERAGE
- 510 UM or UIM CLAIM (coverage issues only)
- 511 ACTION ON NEGOTIABLE INSTRUMENT
- 512 LEMON LAW
- 801 SUMMARY ACTION
- 802 OPEN PUBLIC RECORDS ACT (summary action)
- 999 OTHER (briefly describe nature of action)

Track II - 300 days' discovery

- 305 CONSTRUCTION
- 509 EMPLOYMENT (other than CEPA or LAD)
- 599 CONTRACT/COMMERCIAL TRANSACTION
- 603N AUTO NEGLIGENCE - PERSONAL INJURY (non-verbal threshold)
- 603Y AUTO NEGLIGENCE - PERSONAL INJURY (verbal threshold)
- 605 PERSONAL INJURY
- 610 AUTO NEGLIGENCE - PROPERTY DAMAGE
- 621 UM or UIM CLAIM (includes bodily injury)
- 699 TORT - OTHER

Track III - 450 days' discovery

- 005 CIVIL RIGHTS
- 301 CONDEMNATION
- 602 ASSAULT AND BATTERY
- 604 MEDICAL MALPRACTICE
- 606 PRODUCT LIABILITY
- 607 PROFESSIONAL MALPRACTICE
- 608 TOXIC TORT
- 609 DEFAMATION
- 616 WHISTLEBLOWER / CONSCIENTIOUS EMPLOYEE PROTECTION ACT (CEPA) CASES
- 617 INVERSE CONDEMNATION
- 618 LAW AGAINST DISCRIMINATION (LAD) CASES

Track IV - Active Case Management by Individual Judge / 450 days' discovery

- 156 ENVIRONMENTAL/ENVIRONMENTAL COVERAGE LITIGATION
- 303 MT. LAUREL
- 508 COMPLEX COMMERCIAL
- 513 COMPLEX CONSTRUCTION
- 514 INSURANCE FRAUD
- 620 FALSE CLAIMS ACT
- 701 ACTIONS IN LIEU OF PREROGATIVE WRITS

Multicounty Litigation (Track IV)

- | | |
|---|---|
| <ul style="list-style-type: none"> 266 HORMONE REPLACEMENT THERAPY (HRT) 271 ACCUTANE/ISOTRETINOIN 274 RISPERDAL/SEROQUEL/ZYPREXA 278 ZOMETA/AREXIA 279 GADOLINIUM 281 BRISTOL-MYERS SQUIBB ENVIRONMENTAL 282 FOSAMAX 284 NUVARING 285 STRYKER TRIDENT HIP IMPLANTS 286 LEVAQUIN 287 YAZ/YASMIN/OCELLA | <ul style="list-style-type: none"> 288 PRUDENTIAL TORT LITIGATION 289 REGLAN 290 POMPTON LAKES ENVIRONMENTAL LITIGATION 291 PELVIC MESH/GYNECARE 292 PELVIC MESH/BARD 293 DEPUY ASR HIP IMPLANT LITIGATION 295 ALLODERM REGENERATIVE TISSUE MATRIX 296 STRYKER REJUVENATE/ABG II MODULAR HIP STEM COMPONENTS 297 MIRENA CONTRACEPTIVE DEVICE 601 ASBESTOS 623 PROPECIA |
|---|---|

If you believe this case requires a track other than that provided above, please indicate the reason on Side 4, in the space under "Case Characteristics."

Please check off each applicable category

☐ Putative Class Action

☐ Title 59